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APPENDIX VIII.

[Vide item VIII "Communications to the Council" at page 61 infra.]

G.O. No. 1395 I., dated 16th May 1928.

Under section 72-D (2) (b) of the Government of India Act, 1919, His Excellency the Governor authorizes the expenditure of Rs. 43,125 on improvements to the head sluice at Tamarapak anicut and to the upper supply channel leading from the anicut to the Sholavaram tank, Red Hills Water-supply and Irrigation system.

APPENDIX IX.

[Vide item VIII "Communications to the Council" at page 61 supra.]

NOTIFICATION.

Fort St. George, April 11, 1928

(G.O. Mis. No. 1610, L. & M.).

No. 497.—The Government, being of opinion that the Municipal Council of Ellore is not competent to perform the duties imposed upon it by law, hereby direct under sub-section (1) of section 41 of the Madras District Municipalities Act, 1920, that it shall be superseded for a period of one year from noon on the 20th April 1928.

S. RANGANATHAN,
Acting Secretary to Government.

APPENDIX X.

[Vide item VIII "Communications to the Council" at page 61 supra.]

REVENUE DEPARTMENT.

Correspondence to be placed on the table of the House with reference to Legislative Council Questions No. 549 answered on 25th March 1927 and No 711 answered on 20th October 1927.

[Irrigation—Kistna Eastern delta—Irrigable ayacut—Inclusion of lands.]

I

[Irrigation—Kistna Eastern delta—Irrigable ayacut—Inclusion of lands—Legislative Council Question No. 549.]

The attention of the Board of Revenue is invited to the copy of the question No. 549 and the answer given thereto, forwarded with Government Official Memorandum No. 1794-B/27-1, dated 3rd June 1927 . . . The Board of Revenue is now requested to submit at a very early date a self-contained report on the following points :—

(a) The extent of land originally selected for inclusion in the ayacut of the Kistna Eastern delta in 1924.

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(b) The number of acres out of the extent so selected for inclusion in the ayacut for which the inclusion fee was paid.

(c) Whether it is a fact that the owners of some of the poorer of the lands so selected for inclusion did not pay the inclusion fee before the prescribed date but applied for the inclusion of their lands and ask for the remission of the inclusion fee, and that the Collector did not pass any orders on those applications, but has been collecting penal assessment on the lands.

(d) The number of acres on which penal assessment has been collected during the last three years in the case of (i) lands which were selected for inclusion but for which inclusion fees were not paid before the prescribed date, and (ii) lands which were included in the ayacut on payment of the inclusion fee, with the reasons for the levy of penal assessment on lands which have been actually included in the ayacut.

(e) The steps taken to improve the irrigation and drainage facilities for the lands included and to be included in the ayacut on payment of the inclusion fee.

II

The answers to the points mentioned in the Government Memorandum are as follows:—

(a) 33,736 acres.

(b) The inclusion fee had been paid on 28,924 acres up to the end of June 1927.

(c) The Collector reports that 46 applications were received for remission of the inclusion fee. Of these, 43 applications were rejected after due enquiry and the remaining 3 applications are pending final enquiry. The Collector has not however stated whether he was collecting enhanced water-cess on the lands covered by the applications for remission before final orders were passed rejecting the applications. As 43 out of 46 applications were rejected and the remaining 3 are under consideration, the information is perhaps not necessary.

(d) (i) Enhanced rates of water-cess were levied on lands selected for inclusion in the ayacut and for which no inclusion fee had been paid on the following extents:—

Fasli 1334	...	...	...	...	...	Nil.
„ 1335	...	...	...	...	...	456·26½ acres.
„ 1336	...	...	...	...	...	407·55 „

(ii) Enhanced rates of water-cess were not levied in any fasli on lands notified for inclusion and on which inclusion fees had been paid in a previous fasli or before the lands were azaished in that fasli.

(e) The newly-included lands lie in patches scattered over the whole delta and no special addition to the existing facilities was necessary except by way of granting additional off-takes or increasing the size of the existing off-takes. This has been done in all cases. The included lands have also shared in the recent general improvements to the irrigation system including the erection of 6-foot shutters in the Bezwada anicut . . .

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III

[Irrigation—Kistna Eastern delta—Irrigable ayacut—Inclusion of lands—
Legislative Council Question No. 549.]

In the case of item (c), the Board of Revenue is requested to ascertain from the Collector and report whether penal water-rate was being collected on the lands covered by the applications for the remission of the inclusion fee, before final orders were passed rejecting the applications for remission.

2. The Board's reply to item (d) (ii) is not clear. The point on which information was required was the number of acres on which penal water-rate was collected during the last three years in the case of *lands which were included in the ayacut* on payment of the inclusion fee with reasons for the levy of such penal water-rate. The Board has reported that enhanced rates of water-cess were not levied in any fasli on lands notified for inclusion and on which inclusion fees had been paid in a previous fasli or before the lands were azmaish in that fasli. This would seem to imply that penal water-rate was levied in some cases on lands notified for inclusion and on which inclusion fees were paid during the fasli in which the penalty was levied. The Government do not understand why penal water-rate was levied on such lands. The Board is requested to explain its report more clearly, and give a specific answer to item (d) (ii).

IV

[Collector's letter.]

1. *Item (c).*—Enhanced rates of water-cess have been charged in the case of dry lands selected for inclusion in wet ayacut and covered by applications for remission of inclusion fee even before final orders rejecting them were passed, in accordance with a notification published in the district gazette under date 16th May 1925 that enhanced water-rates will be charged with effect from fasli 1335 in the case of lands selected for inclusion and for which inclusion fees had not been paid.

2. *Item (d) (ii).*—The original date fixed for the acceptance of inclusion fees (30th June 1925) had long expired. But fees are now being accepted as a matter of grace. If the application for payment of inclusion fee is received early in the fasli and the fees accepted, no enhanced rates of water-cess are being charged. If inclusion fees have not been paid before the fields are azmaish, the irrigation will of course be booked as irregular. Inclusion fees may be accepted between the time of azmaish and the passing of orders on the No. 6 account and in such cases it may happen that enhanced water-rate is imposed. Such enhanced water-rate would probably be cancelled by the jamabandi officer or by me if brought to my notice as has been done by me in the recent jamabandi of Gannavaram taluk, but I cannot say definitely that no cases have occurred in which enhanced water-cess has been collected in these circumstances. If any such cases are brought to my notice, I will deal with them on their merits.

3. I would add that the grant of permission to pay inclusion fees after the published date is after all a concession and that after full discussion of the question in my predecessor's time, it was decided that the Collector should have full discretion in including the land in ayacut provided that the acreage fixed is not exceeded.

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V

[Board's Resolution.]

Submitted to Government.

2 Irrigation of dry lands before the payment of the inclusion fee is irregular and the levy of penalty was not unjustified; but even in these cases the Collector has stated that he will consider on its merits the question of remitting the penalty if specific cases are brought to his notice.

VI

G.O. Mis. No. 1028, Revenue, dated 10th May 1928.

Recorded.

(By order of the Governor in Council)

J. F. HALL,
Secretary to Government.

APPENDIX XI.

[Vide item VIII "Communications to the Council" at page 61 supra.]

DEVELOPMENT DEPARTMENT.

COMMUNICATION TO THE COUNCIL.

With reference to the answer given to the supplementary question to question No. 1820 at the meeting of the Legislative Council held on 29th March 1928, the following report is laid on the table :—

Letter from C. A. HENDERSON, Esq., I.C.S., Collector of Ganjam, to the Secretary to Government, Development Department, dated Chatrapur, the 30th March 1928, L. Dis. No. 1730/28.

[Forests—Dharakota estate—Reservation—Interpellation in Legislative Council—Reply furnished.]

[Reference—Secretary to Government, Memorandum No. 742-1/28-1, dated 6th March 1928, and reminder dated 21st March 1928.]

I submit the following information on points (b), (c) and (d) :—

Point (b)—The Revenue Divisional Officer, Ghumsur, convened a meeting with the President of the Dharakota Ryots' Association, and some of his members, the Raja's Manager and the District Forest Officer, and reported that the ryots did not raise any objection to the reservation of the proposed areas. Mr. Galletti also inspected six blocks and remarked that the ryots' representative took no objection to their reservation. A list of the species of wood prohibited is enclosed.

Point (c)—Only two cases were filed in the Taluk Magistrate's Court, Aska; in one case (C.C. No. 59 of 1927), the accused were acquitted and the other C.C. No. 14 of 1928 is pending.

Point (d)—The reservations were made leaving a reasonable margin of unreserve for the ryot population. Generally 1 to 2 chains were set apart for grazing and other purposes.